

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 07/13/06

AGENDA ITEM 1

WORK SESSION ITEM

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Review and Approval of Process for Filling a Council Vacancy

RECOMMENDATION:

It is recommended that the City Council review and approve the process for filling the Council seat vacated due to the death of Council Member Matt Jimenez.

BACKGROUND:

On July 3, 2006, Council Member Matt Jimenez passed away. Thus a vacancy occurs when the City's official canvass for the Hayward Municipal Election is adopted on July 11, 2006 and he will be unable to assume the office to which he was rightfully elected. Pursuant to Section 501 of the Hayward City Charter, a vacancy in an elective office must be filled by appointment by the City Council until the next General Municipal Election. If the vacancy by appointment is not filled within 30 days, the Charter mandates an election.

If no appointment is made, the Council will be asked to call for a special election after the expiration of the thirty (30) day appointment period. It is anticipated that such election would be held sometime during the month of January 2007. (Because this will constitute a special, stand-alone election, staff contacted the Registrar of Voters to develop an estimate of the cost of such an election. While precise numbers have not been established, it is likely to cost approximately \$120,000.) The election would qualify the elected Council Member to serve the remainder of the vacant term through the election and swearing in of a new Council Member after the General Municipal Election in 2010.

The process described hereafter is modeled after the one utilized in 1994 to fill the vacancy created when Council Member Roberta Cooper vacated her City Council position when she was sworn in as Mayor. If an appointment is declared, the appointee shall hold office, as if elected, from the date of appointment until the next General Municipal Election in 2008, which will include an additional race for the remainder of this term.

NOTIFICATION

Notification will include a legal publication in the Daily Review (draft attached). Notice will be posted in public facilities throughout the City, the Community Access Channel and posted on the website. A press release will generate additional awareness of this process.

LETTER OF INTEREST, APPLICATION AND QUESTIONNAIRE

Both in 1991 and in 1994 interested individuals would be asked to submit a letter of interest as well as file an application (draft attached). All letters of interest must have a completed application.

SCREENING PROCESS

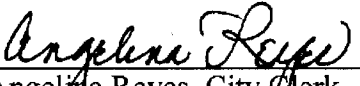
The Council is requested to determine how many candidates it would like to interview. In 1991, 12 applications were received; in 1994, 14 applications were submitted. In both 1991 and 1994, the Council agreed to limit to five the number of individuals to be interviewed. Staff suggests retaining this limit. To identify the candidates to be interviewed in 1991 and 1994, Council Members "nominated" up to five persons to be interviewed. Only individuals receiving three or more nominations were interviewed. Staff recommends utilizing this method in this instance as well.

At the close of the application period, copies of all submittals will be provided to Council. Mayor and Council Members will have an opportunity to review and nominate candidates to be interviewed. The City Clerk, after tabulating the number of times each candidate is named, will provide a list of the top candidates. Council will confirm the list for those to be interviewed.


SCHEDULE AND INTERVIEWS

The thirty (30) day period for appointment will begin on July 11, 2006. If Council approves the appointment process, recruitment commences on July 14 with applications due by 5 p.m. on Thursday, July 20 with Council receiving the applications for review on Friday, July 21. The individual Council "nominations" for interviews will be due to the City Clerk by 5 p.m. Monday, July 24. At the Regular City Council meeting of July 25, staff will provide a matrix of the "nominations" in order to confirm those to be interviewed on Thursday, July 27 at a Special City Council Meeting. Lastly, it is recommended that the thirty minute televised interviews per applicant be utilized as in 1994. At the conclusion of the interviews, an appointment can be made.

Prepared by:


Angelina Reyes, City Clerk

Approved by:


Jesús Armas, City Manager

Attachments:

Notice of Vacancy

Application



NOTICE OF VACANCY ON THE CITY COUNCIL OF THE CITY OF HAYWARD

NOTICE IS HEREBY GIVEN that the City Council of the City of Hayward will be accepting applications for potential candidates to fill the vacancy created by the death of Council Member Matt Jimenez.

Applicants must have been a resident and a qualified elector of the City for at least 29 days preceding the appointment. The term of the appointment will expire subsequent to the certification of the canvass of the General Municipal Election to be held on Tuesday, June 3, 2008, and assumption of the office of Council Member by the duly elected candidate unless otherwise designated.

All interested applicants must complete a questionnaire, which is available from the Office of the City Clerk, 777 B Street, Hayward. The office is open Monday through Friday, 8:00 a.m. to 5:00 p.m. All completed applications must be filed in the Office of the City Clerk by 5:00 p.m., on July 20, 2006. No application will be accepted without a completed questionnaire or after the deadline.

The applications received will be screened by the members of the City Council. Those candidates selected from the screening process will be scheduled for an interview on July 27, 2006. City Council will make the appointment of the new Council Member at the end of this meeting.

For further information please call the Office of the City Clerk at 583-4400.

DATED: July 6, 2006

Angelina Reyes
Office of the City Clerk
CITY OF HAYWARD



Application for Appointment to Fill Vacancy HAYWARD CITY COUNCIL

Please Type or Use Blue Ink Pen

Name: _____

Resident of Hayward: Yes _____ No _____

Number of Years Resided in Hayward _____

Registered Voter: Yes _____ No _____

Home Address: _____
Street City Zip

Male _____

Female _____

Home Phone: () _____ Work Phone: () _____

Current Employment Information

ORGANIZATION _____

Address _____

Position _____ Dates _____

Responsibilities _____

ORGANIZATION _____

Address _____

Position _____ Dates _____

Responsibilities _____

ORGANIZATION _____

Address _____

Position _____ Dates _____

Responsibilities _____

Education/Training/Certification

Please explain why you want to be appointed to City Council; a separate sheet may be attached.

Additional Information: Please provide any additional information you wish covering your qualifications, interests, or training related to this appointment.

I HAVE SUFFICIENT TIME TO DEVOTE TO THIS RESPONSIBILITY AND WILL ATTEND THE REQUIRED MEETING(S) IF I AM APPOINTED. I AM ALSO AWARE THAT THIS APPLICATION IS A PUBLIC DOCUMENT. IF APPOINTED, I WILL FILE THE NECESSARY DISCLOSURE DOCUMENTS AS REQUIRED UNDER THE POLITICAL REFORM ACT.

SIGNATURE _____

DATE _____

Please return to the City Clerk's Office, City Hall, 777 "B" Street, Hayward CA 94541-5007